

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHRISTIAN FURLONG,)	
)	CASE NO. 1:22-CV-588
Plaintiff,)	
)	
v.)	JUDGE BRIDGET MEEHAN BRENNAN
)	
COMMISSIONER OF)	
SOCIAL SECURITY ADMIN.,)	<u>OPINION AND ORDER</u>
)	
Defendant.)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Darrell A. Clay, recommending that the decision of the Commissioner of the Social Security Administration (“Commissioner”) be reversed and the matter remanded for proceedings consistent with the R&R. (Doc. No. 11.)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (flush language).

The R&R was issued on February 17, 2023. (Doc. No. 11.) The government did not file any objection to the R&R, and the deadline for filing objections has passed. The failure to timely file written objections to the report and recommendation of a magistrate judge constitutes a waiver of *de novo* review by the district court. *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff’d*, 474 U.S. 140 (1985). The failure to file written objections also results in a waiver of the right to appeal. *Thomas*, 728 F.2d at 815.

The Court has reviewed the R&R and adopts the same. Accordingly, the final decision of the Commissioner of the Social Security Administration is REVERSED, and the matter is REMANDED for proceedings consistent with the R&R. The case is dismissed.

IT IS SO ORDERED.

Date: August 2, 2023

A handwritten signature in black ink, appearing to read "Bridget M. Brennan", is written over a horizontal line.

BRIDGET MEEHAN BRENNAN
UNITED STATES DISTRICT JUDGE